

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

|                                   |   |                          |
|-----------------------------------|---|--------------------------|
| LISA M. DAVENPORT,                | : | Civil No. 1:16-CV-00494  |
|                                   | : |                          |
| Plaintiff,                        | : |                          |
|                                   | : |                          |
| v.                                | : |                          |
|                                   | : |                          |
| CARLOS DEL TORO, <sup>1</sup>     | : |                          |
| Secretary, Department of the Navy | : |                          |
|                                   | : |                          |
| Defendant.                        | : | Judge Jennifer P. Wilson |

**ORDER**

**AND NOW** on this 31st day of March, 2022, upon consideration of Defendant's motion for summary judgment, Doc. 91, the report and recommendation of Magistrate Judge William Arbuckle, Doc. 106, and the parties' objections thereto, Docs. 109, 112, 114, 115, 116, 117, 118, for the reasons set forth in the accompany memorandum, **IT IS ORDERED THAT:**

- 1) The court **DECLINES TO ADOPT** the report and recommendation denying Defendant's motion for summary judgment on the failure-to-accommodate claim. (Doc. 106.) The remaining portions of the report and recommendation are **ADOPTED**.

---

<sup>1</sup> On August 9, 2021, Carlos Del Toro became the Secretary of the Department of Navy, and, pursuant to Fed. R. Ci. P. 25(d), is automatically substituted as the proper defendant.

- 2) Defendant's motion for summary judgment is **GRANTED**. (Doc. 91.)
- 3) The Clerk of Court is directed to close this case.

s/Jennifer P. Wilson  
JENNIFER P. WILSON  
United States District Court Judge  
Middle District of Pennsylvania